

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:05-cr-00069-JPH-MJD
)	
GEORGE MUSIC,)	-01
)	
Defendant.)	

Entry Denying Motion for Compassionate Release Without Prejudice

On November 27, 2019, the Court revoked Defendant's supervised release and sentenced him to 12 months and one day of imprisonment with no supervised released to follow. Dkts. 23, 24. On May 28, 2020, Defendant filed a pro se motion that the Court construed as a motion for compassionate release under § 603 of the First Step Act, which is codified at 18 U.S.C. § 3582(c)(1)(A). Dkt. 28. The Court appointed counsel to represent Defendant. Dkt. 29. On August 31, 2020, Defendant, by counsel, filed a memorandum in support of the motion for compassionate release. Dkt. 36. In the memorandum, Defendant argued that the Court should order his immediate release. *Id.* He contended that extraordinary and compelling reasons warranted such a sentence reduction because Defendant had medical conditions that placed him at increased risk of experiencing severe symptoms if he contracted COVID-19 and because, as an inmate, he had an increased risk of contracting COVID-19. *Id.* He noted that he was due to complete his sentence and be released on September 12, 2020. *Id.*

On September 15, 2020, the United States filed a response contending that Defendant's motion should be denied as moot because Defendant was released from custody on September 11,

2020. Dkt. 38. Defendant has not filed a reply contesting that assertion, and the time for doing so has passed.

The Bureau of Prisons website shows that Defendant was released on September 11, 2020, which corresponds to Defendant's argument that he was due to complete his sentence on September 12, 2020. As explained, he is not currently serving a term of supervised release. The fact that he has completed his sentence and been released from custody means that his motion for compassionate release is moot. Accordingly, Defendant's motion for compassionate release, dkt. [28], is **denied as moot**.

SO ORDERED.

Date: 9/25/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

All Electronically Registered Counsel